

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MARCH 21, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-19572 - APPLICANT/OWNER: MAGIC HAND, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. This Special Use Permit (SUP-10459) shall expire on December 15<sup>th</sup>, 2007 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-10459) and all other subsequent related cases and as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Special Use Permit (SUP-10459) Permit for general business related gaming within an existing car wash at 4450 East Washington Avenue.

The applicant has not made any progress toward obtaining the proper permits or licenses for the proposed use at this time. This is an existing facility and obtaining a business license is required to be accomplished in a one year time frame in order to exercise the Special Use Permit. A one year extension of time to obtain the proper licensing is deemed appropriate.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
09/08/97	The City Council approved a request to Rezone the west portion of this property from R-E (Residence Estates) Zone to C-1 (Limited Commercial) (Z-75-97).
01/26/98	The City Council approved a request to Rezone the east portion of this property from R-E (Residence Estates) Zone and R-1 (Single-Family Residential) to C-1 (Limited Commercial) (Z-105-97).
04/08/98	The Planning Commission approved a Site Development Plan review of a shopping center on this site [Z-75-97(1) and Z-105-97(1)].
11/04/99	The Planning Commission approved a request for a Tentative Subdivision Map on this site (TM-47-99).
12/15/99	The City Council approved a request for a Site Development Plan Review on this property for a proposed commercial center [Z-75-97(2) & Z-105-97(2)], a request for a Special Use Permit on this property for a proposed 12,500 square foot, two-story Assisted Living facility (U-114-99), and a Special Use Permit (U-115-99) for a 3,500 square foot car wash.
02/15/06	The City Council approved a Special Use Permit (SUP-10459) for general business related gaming within an existing car wash at 4450 East Washington Avenue. The Planning Commission and staff recommended approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
The applicant has several business licenses on the subject property related to the car wash use; however, none are related to the proposed gaming use.	
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.69

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South	Single-family Residential	M (Medium Density Residential)	R-PD15 (Residential Planned Development – 15 Units per Acre)
East	Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## ANALYSIS

This is the first extension of time request for the proposed addition of general business related gaming to an existing car wash. The applicant has not made any progress toward obtaining the proper permits or licenses for the proposed use at this time. The Special Use Permit (SUP-10459) would be exercised upon the issuance of a business license for the proposed use. This is an existing facility and obtaining a business license is required to be accomplished in a one year time frame. A one year extension of time to obtain the proper licensing is deemed appropriate.

**Conditions of approval from SUP-10459:**

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [Z-105-97(1)] and Site Development Plan Review (U-115-99). This includes landscaping.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied.

**FINDINGS**

Approval of the original Special Use Permit (SUP-10459) was granted on 12/15/06. This request for an extension of time is deemed appropriate with a one year time limit. Approval of this request is recommended.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0